

*REMARKS/ARGUMENTS*

*Applicants' Election*

Applicants elect, with traverse, the claims of Group I (claims 1-11), drawn to a tumor surfaced exposed antigen, for further prosecution.

*Discussion of Restriction Requirement*

The present application represents the U.S. national stage of International Patent Application No. PCT/JP2003/012732. The Office Action alleges that the inventions defined by the claims of Groups I-III do not relate to a single general inventive concept under PCT Rule 13.2 because they lack the same "special technical feature."

The claims of Groups I-III are related as follows: the claims of Group I are directed to an antigen, the claims of Group II are directed to a ligand that recognizes the antigen, and the claims of Group III are directed to a method of treating cancer by administering the ligand that recognizes the antigen. The claims of Groups II-III indirectly or directly depend from the claims of Group I.

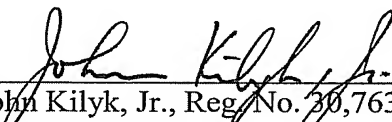
In view of the relationship of the subject matter defined by the pending claims to each other, a search for prior art with respect to the claims of Group I would likely uncover references that would be considered by the Examiner during the examination of the claims of Groups II and III, and especially the claims of Group II. As a result, the Examiner would incur no undue burden in examining all of the pending claims at the same time. See M.P.E.P. § 803 ("If the search and examination of an entire application can be made without serious burden, the examiner *must* examine it on the merits, even though it includes claims to independent or distinct inventions." (emphasis added)).

For the foregoing reasons, Applicants request that all of the claims of Groups I-III be examined together or, at the least, the claims of Groups I and II be examined together.

*Conclusion*

Applicants respectfully submit that the patent application is in condition for allowance. If, in the opinion of the Examiner, a telephone conference would expedite the prosecution of the subject application, the Examiner is invited to call the undersigned attorney.

Respectfully submitted,

  
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Date: February 2, 2007